

**MINUTES**

**MONTANA SENATE  
59th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY**

**Call to Order:** By **CHAIRMAN CROMLEY**, on April 13, 2005 at 3:00  
P.M., in Room 317 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Brent R. Cromley, Chairman (D)  
Sen. John Esp (R)  
Sen. Duane Grimes (R)  
Sen. Lynda Moss (D)  
Sen. Jerry O'Neil (R)  
Sen. Trudi Schmidt (D)  
Sen. Dan Weinberg (D)  
Sen. Carol Williams (D)

**Members Excused:** Sen. John Cobb (R)

**Members Absent:** None.

**Staff Present:** David Niss, Legislative Branch  
Rita Tenneson, Committee Secretary

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: SJ 41, 4/13/2005  
Executive Action: SJ 41

**HEARING ON SJ 41**

**Opening Statement by Sponsor:**

**SEN. DAN WEINBERG (D), SD 2**, opened the hearing on **SJ 41**, Study mental health crisis response system.

**SEN. WEINBERG** told the Committee the Resolution is at the request of the joint committee on mental health. When **SB 499** was stripped away, a committee was formed to deal with the issues and time ran out. With only a few meetings, it became clear the consumers, providers and the department are ready to work together to put a crisis system together. We are sending more people than we should to the State Hospital, when this could be avoided. The resolution asks that we take this into the interim, for a series of hearings and put together a system that works for the mental health issues.

**Proponents' Testimony:**

**REP. EVE FRANKLIN, HD 24, GREAT FALLS**, asked for support for a very important issue.

**GORDON MORRIS, Montana Association of Counties (MACo)**, said this is a very important issue for Montana. The counties, and MACo, will be available to help.

**Joyce DeCunzo, Department of Public Health and Human Services (DPPHS)**, supported the Resolution. They have worked with the mental health committee and others. She will be happy to work on this.

**Bonnie Adee, Mental Health Ombudsman**, is hoping to see this mandate to study and plan a State law. She added this represents the interests of those needing a systemic response. It is a community safety need, so someone needing help will know what door to knock on.

**Curt Chisholm, Montana Chapter of Alliance for the Mentally Ill**, supported this and said it is long overdue. He said 5% of the population has serious mental illness. He urged support.

**Marty Wangen, Montana Psychiatric Association**, asking for support on behalf of her organization.

**Bill Kennedy, Yellowstone County Commissioners**, said over the past Legislative sessions, they have tried to come up with plans to help in the counties of Montana. It has been a piecemeal

approach, but a high priority to put through. He strongly urged support.

**Opponents' Testimony:** None.

**Informational Testimony:**

**Judy Egram, Director, Montana Mental Health Council,** was present to answer questions.

**Questions from Committee Members and Responses:**

**SEN. CROMLEY** asked **Kathy McGowan** to explain the community mental health centers and how they operate. **Ms. McGowan** told him there are four regional community mental health centers. One each in Billings, Great Falls, Helena and Missoula. There is presence in all 56 counties. They provide crisis services, treatment services and have mental health professionals who screen people for the State Hospital.

**SEN. GRIMES** questioned funding. Line 14 says the structure is there but the funding isn't. **Ms. McGowan** said it isn't just a matter of funding. There are a lot of unanswered questions. Who are the populations we need to serve. Do we need facilities? The **SB 499** hearing provided more questions than answers. Who is responsible for this, county, State, joint. These are questions that need to be resolved.

**SEN. GRIMES** thought we needed a clear definition in the Resolution.

**SEN. CROMLEY** inquired whether the four regional centers provided any services. **Ms. McGowan** answered, yes, they provide some services in terms of group homes. Some have house units where staff people check in to see if they are taking their meds. All the centers do not have these services, so people are in the State Hospital who do not need to be there.

**SEN. SCHMIDT** said when you read lines 25 through 27, on page 1, several times, you realize the magnitude of the problem. She wanted to know if there was some discussion on that. **SEN. WEINBERG** told her that is essential. They talked about the fact that, in **SB 499**, one of the great flaws was the counties were not involved and it was put together behind closed doors. The purpose now is to make this open, using a collaborative effort for people to come together for the results.

**SEN. GRIMES** said there is nothing in the Resolution to work with. It needs more definition. He couldn't tell what needs to be

done. There are no prioritizations of crisis services, what populations will be served and in what manner will they provide these services. Who is responsible.

**CHAIRMAN CROMLEY** left to present a bill in the House. **VICE CHAIR SCHMIDT** resumed chairing the Committee.

**SEN. WEINBERG** didn't think it was necessary right now to involve entire rules. If it pleased the Committee to be more specific, he would agree to this. He thought it was a difference of style between his ideas and **SEN. GRIMES'S**. He wanted to open this up to see what becomes of it. The more narrow it is made, something might be left out. Nothing **SEN. GRIMES** mentioned would hurt the study, he added.

**SEN. GRIMES** asked if **SEN. WEINBERG** would oppose funding challenges. **SEN. WEINBERG** answered that funding has to be part of this.

**SEN. SCHMIDT** asked **Ms. DeCunzo's** comments regarding the changes. **Ms. DeCunzo** felt a lot like **SEN. WEINBERG**. She said people have identified concerns. She said we won't know what we don't know at this point. This involves stakeholders and their concerns. This will allow us to come to the next session with a good plan.

**SEN. MOSS** asked **Ms. Engram** about adding the language to the bill. She wanted to know if **Ms. Engram** could see this coming together with the diverse groups working on it. **Ms. Engram** thought there was some need for the study to be open, but there has to be structure.

Due to a tape recording problem, there are no tapes for the above minutes. Tape for the remaining minutes begins at this point on tape 2, side A.

**SEN. O'NEIL** questioned **SEN. KEENAN** what the study would do. **SEN. KEENAN** replied the difference between this study and the one from the Oversight Advisory Council work is MACo and the county commissioners are here supporting this. They will be involved the study.

**Closing by Sponsor:**

**SEN. WEINBERG** said there is a turf battle going on. He tried not to go there. For the sake of the study, and achieving good results, he said we have to avoid that. There is a psychological crisis. The manner in dealing with that plays a big part in the therapeutic outcome. If you catch this early and appropriately, you can prevent someone reaching the depths and longevity they

might reach otherwise. When you put these people in handcuffs, put them in the back of a squad car, and carry them off to the hospital, you can create a deeper and more severe crisis. From the meetings he has had, the people are ready to go to work on this. He urged a do pass.

**EXECUTIVE ACTION ON SJ 41**

**Motion:** SEN. GRIMES moved that SJ 41 DO PASS.

**Discussion:** SEN. GRIMES thought it important to specify the things he had proposed. He asked Mr. Niss to draw up his amendments specifying more definition to the bill.

SEN. WEINBERG said the amendments were fine as long as it is kept open ended.

**Motion/Vote:** SEN. GRIMES moved TO AMEND SJ 41 TO GIVE DEFINITION ON RESPONSIBILITY, PLANNING AND DEVELOPMENT, SERVICES, POPULATIONS BEING SERVED, WAYS TO ENCOURAGE COOPERATION BETWEEN COMMUNITIES, PRIORITIZATION, FUNDING AND OTHER SUBJECTS CONSIDERED BY THE COMMITTEE TO BE NECESSARY OR HELPFUL. Motion carried unanimously by voice vote.

**Motion/Vote:** SEN. ESP moved TO AMEND SJ 41 BY INSERTING WAYS TO ENCOURAGE COOPERATION, BETWEEN AND WITHIN COMMUNITIES IN THE PLANNING, DEVELOPMENT, AND PROVISION OF COMMUNITY MENTAL HEALTH CRISIS SERVICES. Motion carried unanimously by voice vote.

SEN. ESP thought it important to look at problems in each community and how each community interacts and solves that problem. He hoped for cooperation and non duplication of services. He expressed concerns that the department will have expectations to show up at task force meetings, in addition to interim committee meetings, local SAE meetings from time to time, and the oversight advisory council meetings.

**Motion/Vote:** SEN. MOSS moved that SJ 34 DO PASS AS AMENDED. Motion carried 8-1 by voice vote with SEN. ESP voting no. SEN. CROMLEY and SEN. WILLIAMS voting aye by proxy.

*{Tape: 2; Side: A; Approx. Time Counter: 0 - 18.9}*

**ADJOURNMENT**

Adjournment: 4:40 P.M.

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SEN. BRENT R. CROMLEY, Chairman

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RITA TENNESON, Secretary

BC/rt

Additional Exhibits:

**EXHIBIT ([phs79aad0.TIF](#))**